

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION**

**MICHAEL BARNHILL,
Plaintiff,**

v.

Civil Action No. 1:25-cv-00356

**MOUNTAIN VALLEY PIPELINE, LLC,
a Pennsylvania limited liability company;
EQUITRANS MIDSTREAM CORPORATION,
a Pennsylvania corporation; and
EQT CORPORATION, a Pennsylvania corporation,
Defendants.**

PLAINTIFF'S MOTION TO REMAND AND FOR ATTORNEY FEES

Plaintiff Michael Barnhill, by counsel, moves to remand this action to the Circuit Court of Monroe County pursuant to 28 U.S.C. § 1447 because this Court lacks jurisdiction over the case. Specifically, the federal Pipeline Safety Act does not give rise to the doctrine of complete preemption and confer original federal jurisdiction. Further, because Defendants lacked an objectively reasonable basis for removal, an award of fees is appropriate under § 1447(c).

WHEREFORE, pursuant to 28 U.S.C. §§ 1331 and 1447, Plaintiff respectfully requests that this case be remanded to the Circuit Court of Monroe County, West Virginia and that the costs of removal be assessed against Defendants.

MICHAEL BARNHILL,

By counsel:

/s/ Natalie Atkinson
Natalie Atkinson (WVSB #12030)
John-Mark Atkinson (WVSB #12014)
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CERTIFICATE OF SERVICE

I, Natalie Atkinson, counsel for Plaintiff, do hereby certify that service of “PLAINTIFF’S MOTION TO REMAND AND FOR ATTORNEY FEES” was made upon the parties listed below by electronic filing pursuant to the Court’s CM/ECF system, which will send notice of the filing to the following counsel:

Jennifer J. Hicks, Esquire
Timothy M. Miller, Esquire
Babst, Calland, Clements & Zomnir, P.C.
300 Summers Street, Suite 1000
Charleston, WV 25301
Counsel for Defendants

on this 22nd day of June, 2025.

/s/ Natalie Atkinson
Natalie Atkinson (WVSB #12030)